

## Remarks

The indicated allowability of claims 13-19 is noted with appreciation. Rewriting of these claims in independent form is being deferred pending reconsideration of claims 12 and 20.

Claims 12 and 20 have been rejected as being unpatentable over **Tremaglio et al.** (US 6,689,142) and **Geiger et al.** (US 6,249,713). Both of these references disclose apparatus for guiding or positioning a needle. Since needles are used in biopsy procedures, the Examiner is of the opinion that one of ordinary skill in the art would find it obvious to use the needle placement systems of the references "to alter a part of a living body to prepare it for a connection to an element for the purpose of determining the compatibility of the element with the living body." The quoted passage is not understood. What part of the living body does **Tremaglio et al.** or **Geiger et al.** intend to alter to prepare it for a connection to an element, and what element is to be connected to the living body? Also, what is meant by "determining the compatibility of the element with the living body"? What "element" and what "compatibility"?

Claim 12 defines a system for applying an element to a living body, comprising *inter alia* a device for physically altering a part of the living body to prepare and/or produce a connection between the element and the living body. It is not seen how the applied references disclose such a device (e.g. a drill, saw, etc.) and much less in a combination similar to that claimed. A biopsy needle does not prepare or produce a connection between a living body and an element to be connected to the living body. Therefore, reconsideration and withdrawal of the art rejection are respectfully requested.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

By



Don W. Bulson, Reg. No. 28,192

1621 Euclid Avenue  
Nineteenth Floor  
Cleveland, Ohio 44115  
(216) 621-1113



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Don W. Bulson

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